



MEMORANDUM

Date: 9-17-25

To: Honorable Board of County Commissioners (BCC)
Planning and Zoning Board (P&Z Board)

From: Jie Shao, AICP, MCP, Planner, Principal through the Community Development Department

Subject: Revisions to Sections 3-7-32, 3-7-34, 3-7-185, 3-7-186, 3-7-188, & 3-7-189 of Subdivision Regulations, TLDR-25-01

Request

A publicly initiated request to amend several subsections of Charlotte County Subdivision Regulations by:

- 1) Revising Article I: In General, Section (Sec.) 3-7-32: Application Process, Steps 8 & 9.
- 2) Revising Sec. 3-7-34: Approval of the Final Plat.
- 3) Amending Article XI: Standard Forms to:
 - a) Replace Sec. 3-7-185: Certificate of Approval of County Commission with new Sec. 3-7-185: Certificate of Approval of Community Development Director.
 - b) Delete Sec. 3-7-186: Certificate of Approval of Planning and Zoning Board and renumber the remaining subsections.
 - c) Revise Sec. 3-7-188 (New Sec. 3-7-187): Certificate of Approval of County Engineer (Construction to be Bonded) and Sec. 3-7-189 (New Sec. 3-7-188): Certificate of Approval of County Engineer (Construction Complete) to remove the Planning and Zoning Board's responsibility.

Applicant

Charlotte County Board of County Commissioners, 18500 Murdock Circle, Port Charlotte, FL 33948

History and Purpose of this Text Amendment

The County's platting process and regulations were originally established in Ch 3-5: Planning and Development, Article III: Plats in 1986. The County's subdivision regulations were established in Ch 3-7: Subdivision Regulations and adopted by the BCC on October 6, 1992. Since the subdivision regulations were adopted in 1992, only a few amendments have been made. The current regulations for subdivisions and platting are antiquated and per the BCC's direction, staff has been tasked to propose changes and updates to these regulations to:

- 1) Streamline the platting process by removing the requirements for public hearings.
- 2) Align regulations with Florida Statutes, as amended.



- 3) Meet the requirements of SB 812, which was approved by the Governor on May 29, 2024.
- 4) Meet the requirements of SB 784, which was approved by the Governor on June 20, 2025.
- 5) Remove outdated regulations and requirements.

On July 23, 2024, the Board of County Commissioners approved the first phase of revisions to the subdivision regulations in order to meet the requirements of Senate Bill (SB) 812.

SB 784 was approved by the Governor on June 20, 2025. This bill requires that: *The governing body of the county or municipality shall designate, by ordinance or resolution, an administrative authority to receive, review, and process the plat or responsible for approving, approving with conditions, or denying the proposed plat or replat.* Per the County Administration office's request, the Community Development Director will be the authority to administratively approve plats for recording.

Detailed Changes

1) Section (Sec.) 3-7-32: Application Process

Staff is proposing to add "Community Development Director" as a signatory for Step 8, and to replace "chairman's signature" to "appropriate signature" for Step 9 to be consistent with and codify the County Administration office's request.

2) Revising Sec. 3-7-34: Approval of the Final Plat

Staff is proposing to add language of "Community Development Director to sign the mylar" to this subsection in order to codify that the Community Development Director is responsible for final approval of the mylar for recording.

3) Sec. 3-7-185: Certificate of Approval of County Commission

The current regulation requires that the Chairman of the Board of County Commissioners approve and sign the mylar for recording. In order to codify the proposed plat responsibility of the Community Development Director, staff is proposing to replace Sec. 3-7-185: Certificate of Approval of County Commission with new Sec. 3-9-185: Certificate of Approval of Community Development Director.

4) Sec. 3-7-186: Certificate of approval of Planning and Zoning Board

As part of the first phase of the subdivision regulations rewrite, the signature of the Planning & Zoning Chairman has been removed from the regulations because platting applications are no longer presented to the Planning & Zoning Board. Therefore, as part of these revisions, staff is



proposing to delete this subsection in its entirety and renumber the remaining subsections of Article XI: Standard Forms.

- 5) *Sec. 3-7-188 (New Sec. 3-7-187): Certificate of Approval of County Engineer (Construction to be Bonded) and Sec. 3-7-189 (New Sec. 3-7-188): Certificate of Approval of County Engineer (Construction Complete)*

As mentioned above, the Planning and Zoning Board no longer reviews any plat applications; therefore, staff is proposing to update these two subsections to remove the Planning and Zoning Board's responsibility.

Staff Summary

Based upon the analysis and conclusions set forth herein, in staff's professional opinion, the application (Application No. **TLDR-25-01**) is generally consistent with the Charlotte County's Comprehensive Plan, Florida Statutes, SB 784 and other applicable guidelines.

The Planning and Zoning Board recommendation on September 8, 2025

*A motion to forward application TLDR-25-01 to the Board of County Commissioners with a recommendation of **Approval**, based on the findings and analysis in the Comprehensive Planning Division staff memorandum dated August 27, 2025, and the evidence and testimony presented at the public hearing before the Planning and Zoning Board.*

Sec. 3-7-32. – Application Process

Step 8: The appropriate county department shall secure the signatures of the county engineer, county surveyor, county attorney, Community Development Director, and chairman of the board of county commissioners. Required signatures will be secured only if all other requirements have been satisfied.

Step 9: Final plat approval: The county shall not issue approval of a final plat for recording with any conditions or stipulations. The appropriate county department will secure the appropriate chairman's signature on the record mylar and other required documents. The appropriate county department shall deliver the plat, bond, construction and maintenance agreement, and other documents to the clerk of the circuit court for recording.

Sec. 3-7-34. - Approval of the Final Plat

After determination by the county attorney and county engineer that the final plat is in conformance with this chapter, it shall be the ministerial duty of the Community Development Director to sign the mylar and the chairman of the board of county commissioners to sign ~~the mylar and the~~ construction and maintenance agreement, if applicable, after all other required signers have signed.

Sec. 3-7-185. - Certificate of Approval of ~~county commission~~Community Development Director

"STATE _____ OF _____

→

→ SS

"~~COUNTY OF CHARLOTTE~~

→

"~~It is hereby certified that this plat has been officially approved for record by the Board of County Commissioners of the County of Charlotte, Florida, this _____ day of _____, A.D., 19____.~~

"~~APPROVED:~~

~~Planning Director~~

~~Chairman, Board of County Commissioners~~

~~County Engineer~~

~~County Attorney"~~

"I, the undersigned hereby certify that this plat has been officially approved for recording by the Community Development Department of the County of Charlotte, Florida this _____ day of, 20

Name

Community Development Director

Charlotte County, Florida"

BCC Adoption Date: October 28, 2025

~~Sec. 3-7-186.~~ - Certificate of Approval of Planning and Zoning Board

~~"APPROVAL OF PLANNING AND ZONING BOARD~~

~~"I certify that this plat meets the requirements of the applicable Charlotte County Subdivision Regulations as modified and conforms with the Charlotte County Comprehensive Land Use Plan."~~

~~Date: _____~~

~~Chairman~~

~~Charlotte County Planning
and Zoning Board"~~

~~Sec. 3-7-188~~187. - Certificate of Approval of County Engineer (Construction to be Bonded)

~~"APPROVAL OF COUNTY ENGINEER~~

~~"I, the undersigned, County Engineer for Charlotte County, Florida, hereby certify that an acceptable instrument of agreement for guaranteeing satisfactory construction of all improvements in accordance with Charlotte County Subdivision Regulations has been provided. Said agreement includes conformance to all construction, paving and drainage plans on file in the Public Works Department and with the action of the Planning and Zoning Board giving approval of the Preliminary Plat.~~

~~_____~~
~~Date: _____ "~~

~~,County Engineer~~

~~Sec. 3-7-189~~188. - Certificate of Approval of County Engineer (Construction Complete)

~~"APPROVAL OF COUNTY ENGINEER~~

~~"I, the undersigned, County Engineer for Charlotte County, Florida, hereby certify that all improvements have been constructed in accordance with Charlotte County Subdivision Regulations. All construction, paving and drainage, conforms to plans on file in the Public Works Department and with the action of the Planning and Zoning Board giving approval of the Preliminary Plat.~~

~~Date: _____ "~~

~~,County Engineer~~

CHAPTER 2025-164

Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill No. 784

An act relating to platting; amending s. 177.071, F.S.; requiring that certain plat or replat submittals be administratively approved with no further action by certain entities under certain circumstances; requiring the governing body of such county or municipality to designate an administrative authority to receive, review, and process plat or replat submittals; providing requirements for such designation; defining the term “administrative authority”; requiring the administrative authority to submit a certain notice to an applicant; providing requirements for such notice; requiring the administrative authority to approve, approve with conditions, or deny a plat or replat submittal in accordance with the timeframe in the initial written notice to the applicant; requiring the administrative authority to notify the applicant in writing if it declines to approve a plat or replat submittal; requiring that the written notification contain the reasons for denial and other information; prohibiting the administrative authority or other official, employee, agent, or designee from requesting or requiring that the applicant request an extension of time; amending s. 177.111, F.S.; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 177.071, Florida Statutes, is amended to read:

177.071 Administrative approval of plats plat by designated county or municipal official governing bodies.—

(1)(a) A plat or replat submitted under this part must be administratively approved and no further action or approval by the governing body of a county or municipality is required if the plat or replat complies with the requirements of s. 177.091. The governing body of the county or municipality shall designate, by ordinance or resolution, an administrative authority to receive, review, and process the plat or replat submittal, including designating an administrative official responsible for approving, approving with conditions, or denying the proposed plat or replat.

(b) As used in this section, the term “administrative authority” means a department, division, or other agency of the county or municipality. For purposes of issuing a final administrative approval of a plat or replat submittal, the term also includes an administrative officer or employee designated by the governing body of a county or municipality, including but not limited to, a county administrator or manager, a city manager, a deputy county administrator or manager, a deputy city manager, an assistant county administrator or manager, an assistant city manager, or other high-ranking county or city department or division director with direct or indirect

oversight responsibility for the county's or municipality's land development, housing, utilities, or public works programs.

(2) Within 7 business days after receipt of a plat or replat submittal, the administrative authority shall provide written notice to the applicant acknowledging receipt of the plat or replat submittal and identifying any missing documents or information necessary to process the plat or replat submittal for compliance with s. 177.091. The written notice must also provide information regarding the plat or replat approval process, including requirements regarding the completeness of the process and applicable timeframes for reviewing, approving, and otherwise processing the plat or replat submittal.

(3) Unless the applicant requests an extension of time, the administrative authority shall approve, approve with conditions, or deny the plat or replat submittal within the timeframe identified in the written notice provided to the applicant under subsection (2). If the administrative authority does not approve the plat or replat, it must notify the applicant in writing of the reasons for declining to approve the submittal. The written notice must identify all areas of noncompliance and include specific citations to each requirement the plat or replat submittal fails to meet. The administrative authority, or an official, an employee, an agent, or a designee of the governing body, may not request or require the applicant to file a written extension of time.

(4)(1) Before a plat or replat is offered for recording, it must be administratively approved as required by this section by the appropriate governing body, and evidence of such approval must be placed on the plat or replat. If not approved, the governing body must return the plat or replat to the professional surveyor and mapper or the legal entity offering the plat or replat for recordation. For the purposes of this part:

(a) When the plat or replat to be submitted for approval is located wholly within the boundaries of a municipality, the governing body of the municipality has exclusive jurisdiction to approve the plat or replat.

(b) When a plat or replat lies wholly within the unincorporated areas of a county, the governing body of the county has exclusive jurisdiction to approve the plat or replat.

(c) When a plat or replat lies within the boundaries of more than one county, municipality, or both governing body, two plats or replats must be prepared and each county or municipality governing body has exclusive jurisdiction to approve the plat or replat within its boundaries, unless each county or municipality with jurisdiction over the plat or replat agrees the governing bodies having said jurisdiction agree that one plat is mutually acceptable.

(5)(2) Any provision in a county charter, or in an ordinance of any charter county or consolidated government chartered under s. 6(e), Art. VIII of the

State Constitution, which provision is inconsistent with anything contained in this section shall prevail in such charter county or consolidated government to the extent of any such inconsistency.

Section 2. Section 177.111, Florida Statutes, is amended to read:

177.111 Instructions for filing ~~plats~~ plat.—After the approval by the appropriate administrative authority governing body required by s. 177.071, the plat or replat must ~~shall~~ be recorded by the circuit court clerk or other recording officer upon submission thereto of such approved plat or replat. The circuit court clerk or other recording officer shall maintain in his or her office a book of the proper size for such papers so that they ~~will~~ shall not be folded, to be kept in the vault. A print or photographic copy must be filed in a similar book and kept in his or her office for the use of the public. The clerk shall make available to the public a full size copy of the record plat or replat at a reasonable fee.

Section 3. This act shall take effect July 1, 2025.

Approved by the Governor June 20, 2025.

Filed in Office Secretary of State June 20, 2025.